

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing on the cartons and bottles containing the said article were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed on the said cartons and bottles, namely, the treatment and cure of kidney and bladder troubles, weak and lame backs, rheumatism, gravel, bladder trouble in children, stone in the kidneys, or similar diseases.

On February 12, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11491. Misbranding of Hall's catarrh medicine. U. S. v. 26½ Dozen Bottles, et al., of Hall's Catarrh Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13987, 13988, 13989. I. S. Nos. 10481-t, 10482-t, 10483-t. S. Nos. W-804, W-805, W-806.)

On or about December 7, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on December 10, 1920, an amended libel, praying the seizure and condemnation of 65½ dozen bottles of Hall's catarrh medicine, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Cheney Medicine Co., from Toledo, Ohio, in four consignments, namely, June 10, August 10, September 27, and October 5, 1920, respectively, and transported from the State of Ohio into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, bitter plant extractives, cardamom, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part on the bottle label and carton and in the booklet enclosed in the carton, as follows, (bottle) "Hall's Catarrh Medicine * * * valuable in the treatment of Catarrh," (booklet) "Hall's Catarrh Medicine For Catarrh of the Nasal Cavity * * * Ear, Throat, Stomach, Bowels or Bladder. * * * As a Blood Purifier * * * Catarrh * * * nose, throat, ear passages, stomach, bowels, bladder, uterus, vagina, rectum, etc. * * * Catarrh of the Head. * * * small cavities, called antrums and sinuses * * * This form of catarrh * * * should be conquered at all costs. * * * Sense of Smell. * * * When the sense of smell has been destroyed by catarrh, Hall's Catarrh Medicine * * * assists in restoring normal conditions. * * * Deafness * * * sometimes requires long treatment * * * it makes no difference with Hall's Catarrh Medicine where the disease is (head, stomach, bowels, bladder), it is all the same * * *. My wife had been afflicted with Catarrh for over ten years. * * * she was confined to her bed from the effects of it. * * * the second bottle * * * gave her some relief, but she continued taking the medicine until almost nine bottles had been taken. She declares that she has not felt a single symptom of the painful and loathsome disease for over five months. The cure is certainly a permanent one. * * * a doctor * * * treated me for my lungs. I had a bad cough and expectorated very freely. He said my lungs were very badly affected * * *. I took one bottle and received so much benefit that I continued using it ever since * * * I was terribly afflicted with Catarrh of the Stomach. * * * I took from 22 to 27 bottles and it completely cured me. * * * Hall's Catarrh Medicine cured me of a bad case of Catarrh of over four years' standing. * * * every symptom has entirely disappeared and I am satisfied that the cure will be as permanent as it is complete. * * * I am absolutely free from Catarrh and have been since using eleven bottles as above. My catarrh trouble was of years standing and one of the worst cases possible. * * * I have had Catarrh for several years and last spring I took a violent headache. It was never easy, day or night, unless I was under the influence of opiates. I commenced in August to take Hall's Catarrh Medicine and before I had taken half a bottle my headache was gone and has not yet returned. I * * * recommend it to everybody. * * * I had been a severe sufferer from Catarrh for ten years * * *. I took seven bottles of Hall's Catarrh Medicine and am now completely cured. * * * your medicine completely cured me of Catarrh * * *. I had catarrh and cold in the head which would come back every fall in the form

of hay fever. * * * Hall's Catarrh Medicine * * * has completely restored me, and have not had a return of the trouble since. * * * have never found a case where it has not given perfect satisfaction. * * * it is the only medicine in which I could find a cure. Also it is the only medicine that purifies my blood. * * * I have been taking Hall's Catarrh Medicine for four months and received great relief from it. My hearing is better and my general health improved * * * I thought I had throat trouble, but the doctors said I had catarrh. * * * Before I took sick, I weighed 225 pounds. I had fallen off to 120 pounds. * * * began taking your medicine and now I weigh 155 pounds. * * * I had been down for two years and had four different doctors. * * * They said it was my liver, kidneys, stomach, etc. My food would not digest and I ran off at the bowels all the time. * * * I sent and bought twelve bottles * * * and am entirely well. * * * my sister * * * had been suffering for several years * * * in a very virulent form, and after using six bottles found herself entirely relieved. * * * My son had been troubled for some years with catarrh. * * * decided to give Hall's Catarrh Medicine a trial. Two bottles were sufficient to satisfy me it was no ordinary medicine * * * ten bottles effected what I believe to be a permanent cure. * * * Until a few [two] years ago I had catarrh in the most aggravated form. * * * was finally pronounced incurable by a specialist at Hot Springs. * * * took 12 bottles and am now sound and well. * * * I have suffered from that miserable disease called catarrh. * * * I had faithfully used all the well known remedies * * * Hall's Catarrh Medicine * * * I made up my mind to give it a trial. * * * I experienced complete relief * * * the second bottle will completely eradicate the disease. * * * Hall's Catarrh Medicine * * * cured me of a bad case of catarrh. * * * I was troubled with ringing in my ears. * * * my head would become dizzy, my ears ring so fearfully and my stomach become sick. * * * it has cured me of the sick stomach, the dizziness and the ringing of the ears * * * I was a victim of the obnoxious disease, catarrh of the head. My case was certainly a bad one. I was so reduced in flesh that my friends scarcely recognized me. It also affected my breast and throat. My sense of smell was totally gone. * * * I became so feeble that I did not know whether I would live until spring. * * * have been greatly benefited and know it will effect a permanent cure. * * * I had a bad case of Catarrh in the Head, and I took twenty bottles of Hall's Catarrh Medicine and it fixed me all right. * * * I have been afflicted with this dreadful disease for the past twelve years. I have used three bottles of Hall's Catarrh Medicine which has had a marvelous effect. My hearing has been fully restored * * *. I feel sure that by continued use of the medicine I will make the cure a permanent one. * * * I have suffered from catarrh for about five years * * * I commenced to use Hall's Catarrh Medicine last February. I must say that it is a success; the dropping in my throat disappeared entirely after the first bottle. It increased my appetite * * *. I have recommended it to others, and all who used it have been greatly relieved * * *. After trying several specialists for catarrh of the head or stomach and getting but little relief, I decided to give Hall's Catarrh Medicine a fair trial. * * * it has done more for me than all other remedies combined. * * * I have been a sufferer from catarrh of the head for nearly six years, and until three months ago I could not breathe through my nose at all * * *. I took one bottle of your remedy and before it was half taken, I had a terrible discharge at the nose also a hacking cough, but got relief from the first bottle. I now have taken twenty-seven bottles and I feel the best I have ever felt * * *. It has cured my catarrh * * * my wife * * * had suffered everything for years with catarrh and was run down to nothing. She started taking Hall's Catarrh Medicine and after she had taken a dozen bottles had gained twelve pounds. * * * I have been a user of Hall's Catarrh Medicine to the amount of forty-five bottles, and knowing what a splendid cure and tonic it is, still having full confidence in an ultimate cure of a very severe case of 'perennial catarrh,' cast aside by all the best physicians of my native city, I have concluded that twelve bottles more will cause an entire cure. * * * I have a little boy who had catarrh just as bad as anybody could have it * * * your medicine * * * cured him. * * * I had been a great sufferer for one year * * * I began to use Hall's Catarrh Medicine and in one week's time * * * was greatly benefited. I used it constantly for two years, and really feel that my old trouble is completely cured and I am positive that any person suffering with catarrh in any form can be

cured by the use of this preparation. * * * it saved my life * * * my wife was attacked with stomach trouble. * * * after taking twenty-four bottles she was restored to health within fifteen months. * * * I have been using your catarrh remedy for a short time and find it to be the best I have ever seen," which said statements appearing on the said bottle, carton, and booklet were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 24, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11492. Adulteration and misbranding of olive oil. U. S. v. 25 Cans of Alleged Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 15223. I. S. No. 5082-t. S. No. E-3465.)

On or about July 22, 1921, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 25 cans, $\frac{1}{4}$ -gallon size, of alleged olive oil, alleging that the article had been shipped by the Italy Commercial Co., New York, N. Y., on or about May 12, 1921, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Qualita Superiore * * * Olio * * * Puro Garantito Sotto Qualsiasi Analisi Chimica * * * $\frac{1}{4}$ Gallon Net."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article was mixed in a manner whereby damage or inferiority was concealed.

Misbranding of the article was alleged in substance for the reason that the labels on the cans containing the said article bore the following statements, designs, and devices, "Qualita Superiore * * * Olio * * * Puro Garantito Sotto Qualsiasi Analisi Chimica," together with a foreign design and the use of a foreign language, which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, olive oil, and for the further reason that it purported to be a foreign product when, in truth and in fact, it was a product of domestic manufacture packed in the United States.

On September 30, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal or sold if such sale could be speedily effected.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11493. Adulteration of beans with pork. U. S. v. Edward Musen and Max Rosen (Union Market Grocery Co.). Pleas of guilty. Fine, \$150. (F. & D. No. 16222. I. S. No. 1240-t.)

On October 7, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward Musen and Max Rosen, copartners, trading as the Union Market Grocery Co., St. Louis, Mo., alleging shipment by said defendants, under the name of Diehm Grocer Co., in violation of the Food and Drugs Act, on or about August 23, 1921, from the State of Illinois into the State of Missouri, of a quantity of beans with pork which were adulterated. The article was labeled in part: "Altex Brand Pinto Beans with Pork * * * Packed By Adam Bros. & Sellers Co. Houston, Texas, U. S. A."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the cans examined were rusty and that they were swells. All showed evidence of gas when opened. The product was fermented, had a bad odor, and the inside of the cans was badly corroded.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed and putrid animal or vegetable substance.